

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **SEN. JEFF ESSMANN, SD 28, BILLINGS** chaired for **CHAIRMAN CAROLYN SQUIRES**, on April 15, 2005 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Carolyn Squires, Chairman (D)
Sen. Vicki Cocchiarella (D)
Sen. Mike Cooney (D)
Sen. Jon Ellingson (D)
Sen. Jeff Essmann (R)
Sen. Steven Gallus (D)
Sen. Rick Laible (R)
Sen. Dave Lewis (R)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Joe Balyeat (R)

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Claudia Johnson, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 45, 4/13/2005
Executive Action: HB 45

HEARING ON HB 45

Opening Statement by Sponsor:

SEN. JIM SHOCKLEY, SD 45, VICTOR, opened for **REP. ALAN OLSON (R), HD 45**, Revise sick leave laws.

Proponents' Testimony:

Steve Bender, Deputy Director, Department of Administration, said this bill is before the Committee to make state law on the definition of sick leave that has been a long standing practice in state government. He had received a call from someone in the legislative branch office, who informed him that the state sick leave is out of compliance with the statutory language. **Mr. Bender** said he didn't know this, because this is the way it has always been in his career at the state. He said that HB 45 is the fix. This will allow the state to continue the practice that has been going on. He urged the Committee's concurrence.

Don Judge, Teamsters Local 190, stated they are in strong support of HB 45. He said this legislation also applies to city/county local governments.

Todd Lovshin, stated his support for this legislation.

Tom Schneider, Montana Public Employees Association, said they support HB 45.

Gordon Morris, Montana Association of Counties, stated they support HB 45.

Pat Clinch, Montana State Professional Firefighters, said they support this bill.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

SEN. TROPILA asked **Steve Bender** to explain the changes. **Mr. Bender** distributed a handout explaining those changes. He said that currently, the statutory definition of sick leave is "a sickness suffered by an employee, a member of the employee's immediate family". He said currently, the list that isn't included in policy at this time is, Medical Appointments for: dentist, chiropractic, physical therapy, audiologist and optometrist. Funeral attendance, short-term care of sick

relative, pregnancy/prenatal related leave/appointments, and time off to take care of a relative. He said it doesn't cover a bulk of the family medical leave act (FMLA). He said the purpose of the bill is to include, within the definition of sick leave, all those categories listed.

EXHIBIT(sts81a01)

SEN. LAIBLE wanted to know how many hours of sick leave a state employee accrues. **Mr. Bender** said about 12 days a year. There is no longevity in sick leave. **Mr. Bender** informed him this bill covers those that work from 20 hours a week up to the 40 hours a week.

Closing by Sponsor: **SEN. SHOCKLEY** closed for **REP. OLSON**.

EXECUTIVE ACTION ON HB 45

{Tape: 1; Side: A; Approx. Time Counter: 6 - 10}

Motion/Vote: **SEN. SHOCKLEY** moved that HB 45 BE CONCURRED IN.
Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 3:40 P.M.

SEN. CAROLYN SQUIRES, Chairman

CLAUDIA JOHNSON, Secretary

CS/cj

Additional Exhibits:

EXHIBIT ([sts81aad0.PDF](#))